



**Economic and Social
Council**

RESTRICTED

TRANS/WP11/182
4 December 1990

ENGLISH
Original: FRENCH

ECONOMIC COMMISSION FOR EUROPE

INLAND TRANSPORT COMMITTEE

Working Party on the Transport
of Perishable Foodstuffs

REPORT OF THE WORKING PARTY ON ITS FORTY-SIXTH SESSION
(19-22 November 1990)

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ATTENDANCE

1. The following ECE Member States were represented: Belgium; Denmark; Finland; France; Germany; Ireland; Italy; Netherlands; Norway; Poland; Romania; Spain; Sweden; Switzerland; Union of Soviet Socialist Republics; United Kingdom; United States of America. The following intergovernmental organization was represented: International Institute of Refrigeration (IIR). The following non-governmental organizations were represented: Association of the Dairy Industry of the European Community (ASSILEC); International Road Transport Union (IRU); Transfrigoroute International.

ADOPTION OF THE AGENDA

2. The provisional agenda (TRANS/WP11/181) was adopted.

ELECTION OF OFFICERS

3. Mr. M. DE CLIPPEL (Belgium) was elected Chairman.

DISCUSSIONS OF THE INLAND TRANSPORT COMMITTEE AFFECTING THE WORK OF THE WORKING PARTY

4. The Working Party took note of the discussions at the fifty-second session of the Inland Transport Committee concerning the activities of the Working Party (ECE/TRANS/81, paras. 234 to 243).

IMPLEMENTATION OF THE AGREEMENT ON THE INTERNATIONAL CARRIAGE OF PERISHABLE FOODSTUFFS AND ON THE SPECIAL EQUIPMENT TO BE USED FOR SUCH CARRIAGE (ATP)

(a) Information on the status of application of the Agreement

5. The Working Party noted that the following States had so far become Parties to the Agreement: Austria; Belgium; Bulgaria; Czech and Slovak Republic; Denmark; Finland; France; Germany; Hungary, Ireland; Italy; Luxembourg; Morocco; Netherlands; Norway; Poland; Portugal; Spain; Sweden; Union of Soviet Socialist Republics; United Kingdom; United States of America; Yugoslavia.

6. The representative of Germany informed the Working Party that the German Democratic Republic had ceased to exist on 3 October 1990, when it had joined the Federal Republic of Germany. As from that date, the laws of the Federal Republic of Germany were applicable to the former German Democratic Republic, with transitional periods where necessary. The ATP Agreement was applicable throughout the new Federal Republic of Germany, a fact which would entail changes in test stations and competent authorities for the issue of ATP certificates.

7. The representative of Germany will inform the secretariat regarding those changes as soon as the restructuring process has been completed.

8. The representative of Switzerland said that his country did not intend to ratify ATP in the short-term or medium-term, but that it implemented the provisions of ATP in full. Switzerland issued ATP certificates on the basis of test reports prepared by testing stations in countries Parties to ATP.

9. The representative of Romania informed the Working Party that his country intended to accede to ATP.

- (b) Test stations officially designated by the competent authorities of countries Parties to ATP and whose test reports might be used for the issue of ATP certificates

10. The Working Party was informed that the secretariat had issued a revised list of testing stations officially recognized by the competent authorities of countries Contracting Parties to ATP, the test reports of which would consequently be valid for the issue of ATP certificates (TRANS/GE.11/R.76/Rev.1/Amend.1 and 2).

11. A number of representatives provided further information on their test stations and/or their competent authorities. The information will be issued in an addendum to document TRANS/GE.11/R.76/Rev.1.

AMENDMENTS TO THE AGREEMENT ON THE INTERNATIONAL CARRIAGE OF PERISHABLE FOODSTUFFS AND ON THE SPECIAL EQUIPMENT TO BE USED FOR SUCH CARRIAGE (ATP) WHICH HAVE ENTERED INTO FORCE

12. The Working Party was informed that no objection had been made to the following proposed amendments:

amendment to Annex 1, appendix 2 (several amendments to the wording of the new test reports) proposed jointly by France and the United Kingdom by Depositary Notification of 29 September 1989 (C.N.229.1989.TREATIES-4); (entry into force: 30 September 1990);

amendment to Annex 2 (temperature of quick-(deep-)frozen and frozen foodstuffs) proposed by the United Kingdom by Depositary Notification of 27 June 1989 (C.N.1989.TREATIES-2); (entry into force: 28 March 1991);

amendment to Annex 1 (thickness of side walls) proposed by Sweden by Depositary Notification of 14 August 1989 (C.N.165.1989.TREATIES-3); (entry into force: 15 May 1991).

13. The Working Party requested the secretariat to make available the resources necessary for the preparation of a new edition of ATP taking account of the latest amendments.

14. The Working Party noted the United Kingdom's proposed amendments concerning new paragraphs 1 and 4 of Annex 1, appendix 1 (C.N.9.1990.TREATIES-1 of 12 March 1990). Those proposals should, in principle, come into force not later than 13 June 1991.

PROPOSED AMENDMENTS TO THE AGREEMENT ON THE INTERNATIONAL CARRIAGE OF PERISHABLE FOODSTUFFS AND ON THE SPECIAL EQUIPMENT TO BE USED FOR SUCH CARRIAGE (ATP)

Article 10, paragraph 1

15. The representative of Italy introduced the proposal submitted by the small group set up at the preceding session of the Working Party, as it appears in paragraph 22 of the report (TRANS/WP11/180).

16. The proposal takes the following form:

Insert at the end of the first paragraph of article 10:

"It is understood that the provisions of this paragraph shall not be applicable to new Contracting Parties acceding to the Agreement as from ... 1/.

1/ Date on which this amendment will come into force."

17. The representative of the United States said that his delegation was not competent to negotiate changes to article 10. In order to be able to refer the matter to his country's constitutional system, his Government needed to know why such changes were necessary and also to consult with Canada and Mexico in order to ascertain whether the proposed amendments had any effect on the interest which might be shown by those two countries in acceding to ATP.

18. He recalled that, over the past two years, his delegation had time and again invited the delegations concerned to bring the matter to the attention of his country's authorities in order to explain the importance they attached to the amendment of article 10.

19. In the circumstances, he would have to oppose any amendment to the article in question.

20. The delegations of Belgium, Denmark, Finland, France, Germany, Ireland, the Netherlands, Poland, Spain and the United Kingdom supported the proposal introduced by the delegation of Italy, and agreed that that delegation should, if necessary, submit the proposal to the Depositary of ATP on their behalf.

21. The delegations of Norway and Sweden reserved their positions, which they undertook to communicate to the delegation of Italy by 1 January 1991.

22. The representative of the USSR expressed the hope that the Working Party could arrive at a compromise solution.

Annex 1, appendix 2, paragraph 27 (measurement of the K-coefficient)

23. The representative of IIR submitted the results of the study carried out by 11 European test laboratories to compare measurements of the K-coefficient.

24. On the proposal of IIR and in the light of any conclusions which might be drawn from that study, the Working Party adopted amendments to Annex 1, appendix 2, paragraphs 6, 8, 10, 12 and 27.

25. The list of these amendments appears in Annex 1 to this report.

Annex 1, appendix 2, paragraph 29 (aging coefficient)

26. The Working Party decided to keep this question on the agenda of its next session.

Annexes 2 and 3

27. The Working Party set up a small group to study Annex 3 on the basis of the draft annexed to the report TRANS/WP11/180 and two proposals submitted by Germany (TRANS/WP11/R.20) and Denmark (TRANS/WP11/R.19).

28. The small group met under the chairmanship of Mr. E. Kingcott (United Kingdom). The delegates of the following countries were present: Denmark, Finland, France, Germany, Ireland, Netherlands, Poland, Romania, Spain, Sweden, USSR, United Kingdom and United States of America. ASSILEC, IIR and Transfrigoroute International were also represented.

29. Following a wide-ranging exchange of views, a first draft of Annex 3 was outlined and then completed and adopted in principle by the Working Party in plenary session. The text appears in Annex 2 to this report.

30. The representative of IIR drew attention to the health risks represented by prepared raw vegetables ready to eat and vegetable preparations. He recommended that such products should be kept at temperatures of less than +4°C. He noted that IIR had submitted proposals which were contained in document TRANS/WP11/R.18/Add.1 and said he was ready to respond to any comments on that document.

31. The representative of Transfrigoroute International said that the FRIGOCARD system was specifically a set of sound practices which his association intended to develop internationally in the transport of perishable goods sensitive to temperature and temperature variations.

32. He expressed the hope that measures would be adopted in respect of ATP to reduce deterioration of the original quality of perishable foodstuffs as far as possible by specifying the measures to be taken in conformity with article 4, paragraph 1, of ATP and also by indicating the steps to be taken to ensure that checks by States were carried out without delays and without breaking the continuity of the cold chain.

33. The representative of Transfrigoroute International introduced the proposals made by his association in document TRANS/WP11/R.17.

34. The representative of France pointed out that facilitating the transport of perishable foodstuffs depended on the introduction of quality control which the industry itself wished to put into effect for each transport operation, in addition to the requirements of Annexes 2 and 3 of ATP for which the statutory checks were performed on a sample basis only.

35. He added that the profession needed the Working Party to approve the rules presented clearly by Transfrigoroute International in document TRANS/WP11/R.17. Those rules were mentioned but were not set out explicitly in article 4 of ATP.

36. The representative of France said that it would be helpful if the Working Party could give favourable consideration to the draft so that it could impose its rules in the field.

MEASUREMENT OF THE TEMPERATURE OF FOODSTUFFS DURING TRANSPORT

37. The representative of the United Kingdom reported on recent developments in the process of devising a measurement method, more particularly in the context of European Economic Community regulations.

38. He laid particular stress on the recommendations submitted by his country to the other members of the Working Party, namely:

temperature monitoring, which should be part of the ATP requirements;

the only practical solution for this purpose would be to monitor air temperature by equipping the vehicle with recording equipment;

the Working Party should prepare minimum specifications for such monitoring instruments.

39. In addition, temperature measurement methods using [non-destructive and] distinctive tests should also be specified in a separate Annex to the Agreement, and stress laid on the need to respect the following proper order for temperature monitoring operations:

- (i) examination of temperature monitoring readings;
- (ii) measurement of the temperature of the product by non-destructive methods if the readings are not satisfactory;
- (iii) measurement of the temperature of the product by destructive methods if stage (ii) is not satisfactory.

40. The representative of France expressed his satisfaction with the quality of the United Kingdom's proposal, which took into account both Community directives and the recommendations of the transport profession. He stressed the need to distinguish between three types of monitoring depending on the type of equipment used: the fixed or mobile temperature recorder specific to the vehicle, the temperature recorder placed in the load and monitoring of the goods on arrival. In a single-compartment vehicle, a second probe placed at the rear of the vehicle did not provide additional data, as experiments proved. In a vehicle with more than one compartment, the use of a rear probe gave rise to innumerable connection problems.

41. The representative of Transfrigoroute International went over the background to the problem of temperature measurement and described his association's work on the subject. (CCT schedule No. 11, temperature recorders.)

42. The Working Party decided to keep the question on the agenda for its next session and asked delegations to submit contributions concerning the proposals by the delegation of the United Kingdom.

43. The representative of the United Kingdom said that he could probably submit new proposals at the following meeting of the Working Party on the basis of practical experience in the use of the method in question in his country.

SEPARATE TESTING OF THE BODIES AND THE REFRIGERATION UNITS

44. The Working Party discussed this question on the basis of proposals by IIR which were adopted after amendment (see Annex 3 of this report).

45. The representative of Germany agreed that his Government would submit the Annex to the Depositary for adoption by the Parties to ATP.

DEFINITION OF "CONTAINER" FOR THE PURPOSES OF ATP

46. The representative of Sweden introduced his Government's proposal contained in document TRANS/WP11/R.9.

47. He reminded members that, after discussion at the last session, the delegation of the United Kingdom and his own delegation had jointly proposed a definition of "container".

48. The Working Party asked the representative of Sweden to transmit a further proposal reflecting the discussion to the secretariat as soon as possible. This proposal will be sent to members of delegations so that they can submit their proposals in good time.

49. The representative of Denmark raised the question of the transport of perishable foodstuffs by road/air (TRANS/WP11/R.13).

50. In his opinion, when perishable foodstuffs were air-freighted by container, it was self-evident that the road transport would in most cases be effected using non-ATP-approved equipment, even when passing through countries Parties to ATP.

51. The representative of IIR said that the matter was being studied by his Institute.

52. The Working Party decided to place this question on the agenda of its next session under a separate item, pending further information.

FACILITATION OF TRANSPORT OF PERISHABLE FOODSTUFFS

53. The representative of Transfrigoroute International reviewed his association's contacts with the Inland Transport Committee, the Working Party on the Transport of Perishable Foodstuffs and the Working Party on Customs Questions affecting Transport (WP30).

54. He drew attention to the correlation between his association's own ideas on facilitation and the provisions of European Economic Community Directive No. 89/662/CEE concerning veterinary inspections applicable in intra-community trade, and in particular with article 6 of that Directive.

55. The representative of France said that veterinary inspections applicable to produce coming to the EEC from third countries would be carried out at frontier posts at the borders of the Community.

56. The representative of the United Kingdom suggested that Transfrigoroute International should circulate its model consignment note (Frigocard) to members of the Working Party, for their consideration and observations.

57. The representative of the Netherlands said that the matter would not give rise to any duplication of effort, since it was already being considered by the Working Party on Customs Questions affecting Transport. He drew the Working Party's attention to the fact that some of the Transfrigoroute International proposals contained in documents TRANS/WP30/R.57 and -/R.17 should be considered by the Working Party on Customs Questions affecting Transport.

58. The Working Party requested the Inland Transport Committee to recommend that the proposal of Transfrigoroute International should be given favourable consideration by the Working Party on Customs Questions affecting Transport.

59. The Working Party decided to keep this matter on the agenda for its next session.

INTRODUCTION OF MODULAR SYSTEMS FOR THE CARRIAGE OF PERISHABLE FOODSTUFFS

60. The representative of Transfrigoroute International proposed that the competent authorities should take the necessary steps to ensure that, in both domestic and international systems, temperature-controlled, refrigerated, freezing and heated swap bodies and vehicles, with a side-wall thickness of not less than 45 mm and a width of 2.60 m were accepted, and that in accordance with the IRU provisions it was also possible to load 33 800 x 1200 Europallets on semi-trailers and 40 800 x 1200 Europallets on road trains (lorries with trailers).

61. The Working Party decided to submit the proposal to the Working Party on the Construction of Vehicles (WP29) for study.

62. The Working Party also decided to inform the competent services of the European Economic Community that to bring into force the directive concerning an external operating width of 2.60 m for ATP vehicles, applicable only to class B, C, E and F vehicles, raised the problem of relegating such equipment to classes A and D when, after six or nine years of use, their K-coefficient value exceeded the 0.40 W/m²K required for class B, C, E and F equipment. It would then become essential for the Community services to consider the problem of harmonizing the 2.60 m standard for all classes of approval.

63. The Working Party asked the secretariat to communicate the sense of that request to the competent services of the Commission of the European Economic Community.

PROGRAMME OF WORK

64. The Working Party adopted its Programme of Work for 1991-1995 as it appears in annex 4 to this report.

OTHER BUSINESS

Integration processes in Europe and their possible effect on the application of ATP among Parties to the Agreement

65. The Working Party requested the secretariat to contact the competent services of the European Economic Community, particularly the transport, agriculture and internal market services, with reference to the consequences of the single market in 1993 on the future implementation of ATP.

66. The Working Party decided to include the question in its programme of work and in the agenda for its next session.

Date of the next session

67. The Working Party was informed that its forty-seventh session had provisionally been scheduled to take place from 4 to 7 November 1991.

Distribution of documents

68. The Working Party decided that it was unnecessary to extend the period of one year during which documents submitted to the current session were subject to restricted distribution.

ADOPTION OF THE REPORT

69. The Working Party adopted the report on its forty-sixth session, together with its Annexes.

Annex 1AMENDMENTS PROPOSED BY THE INTERNATIONAL INSTITUTE OF REFRIGERATION
AND ADOPTED BY THE WORKING PARTYAnnex 1, Appendix 2,

- Paragraph 6: second sentence, line 3, amend " $\pm 0,5^{\circ}\text{C}$ " to read " $\pm 0,3^{\circ}\text{C}$ " and add: "... and the temperature at the beginning and at the end of the period shall not differ by more than $0,2^{\circ}\text{C}$. At the end of the paragraph, add: "the mean value of the thermal capacity over the steady state period of 12 hours will be used in K-coefficient calculation."
- Paragraph 8: line 4 replace "not less than 20°C " with " $25^{\circ}\text{C} \pm 2^{\circ}\text{C}$ ".
line 6 delete "about" and add " $\pm 0,5^{\circ}\text{C}$ " after 20°C .
- Paragraph 10: line 8, after "sufficient to" insert "obtain 40 to 70 air changes related to the empty volume of the tested body. The air distribution around all internal surfaces of the tested body shall be sufficient to ensure ...".
line 10, replace " 3°C " with " 2°C ".
- Paragraph 12: line 3 - add "Electrical cable losses between the heat input measuring instrument and the tested body shall be established by a measurement or calculation and subtracted from the total heat input measured".
- Paragraph 27: Third line, after $\pm 10\%$, add: "when using the method of internal cooling and $\pm 5\%$ when using the method of internal heating."
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Annex 2"Annex 3SELECTION OF EQUIPMENT AND TEMPERATURE CONDITIONS TO BE OBSERVED
FOR THE CARRIAGE OF CHILLED FOODSTUFFS

1. For the carriage of the following chilled foodstuffs, the transport equipment has to be selected and used in such a way that during carriage the highest temperature of the foodstuffs at any point of the load does not exceed the indicated temperature.
2. Accordingly, the temperature of the foodstuffs at any point in the load must not exceed the temperature indicated as below on loading, during carriage and on unloading.
3. Where it is necessary to open the equipment, e.g., to carry out inspections, it is essential to ensure that the foodstuffs are not exposed to procedures or conditions contrary to the objectives of this annex and those of the International Convention on the Harmonization of Frontier Controls of Goods.
4. The temperature control of foodstuffs specified in this annex should be such as not to cause freezing at any point of the load.

Maximum temperature

I. Butter <u>1/</u>	+ 10°C
II. Red meat and large game (other than red offal, minced meat and meat in small pieces)	+ 7°C
III. Raw milk <u>6/</u> game (other than large game) poultry and rabbits	+ 4°C
IV. Red offal, minced meat and meat in small pieces	+ 3°C
V. Meat products, <u>2/</u> pasteurized milk, <u>6/</u> fresh dairy products, <u>6/ 2/</u> (yoghurt, kefir, cream and fresh cheese, <u>3/</u> ready cooked foodstuffs (meat, fish, vegetables), ready to eat prepared raw vegetables and vegetable products, <u>5/</u> and fish products <u>2/</u> not listed below	+ 6°C or at temperature indicated on the label if it does not exceed + 6°C.
VI. Untreated non-prepackaged: fish, molluscs and crustaceans <u>4/</u>	must always be carried in melting ice
VII. Untreated non-prepackaged: fish, molluscs and crustaceans <u>4/</u>	[+ 2°C]".

Notes

1/ When intended for immediate further processing at destination, temperature may be permitted to rise during carriage to 14°C. The transport document shall state that butter is to be immediately processed at destination.

2/ Except for products fully-treated by salting, smoking, drying or sterilization.

3/ "Fresh cheese" means a non-ripened (non-matured) cheese which is ready for consumption shortly after manufacturing and which has a limited conservation period.

4/ Except for live fish, molluscs and crustaceans.

5/ Raw vegetables which have been diced, sliced or otherwise size-reduced but excluding those which have only been washed, peeled or simply cut in half.

6/ In principle, transport time should not exceed 48 hours.

Annex 3

AMENDMENTS ADOPTED BY THE WORKING PARTY CONCERNING SEPARATE
TESTING OF REFRIGERATION UNITS

Annex 1, Appendix 2

Paragraph 52: add at the end:

"The calorimeter box or unit of transport equipment shall be heavily insulated."

Paragraph 55: add:

"When presenting a refrigeration unit for test, the manufacturer must supply:

Documents describing the unit to be tested,

A technical document outlining the parameters that are most important to the functioning of the unit and specifying their allowable range, the characteristics of the equipment series tested,

A statement as to which prime mover(s) shall be used during testing."

Paragraph 59: replace by

"The refrigeration capacity for ATP purposes is that relating to the mean internal temperature as determined from the probes described in paragraph 3 above, and not that relating to evaporator inlet or outlet probes."

Paragraph 60: former paragraph 59.

Annex 4PROGRAMME OF WORK FOR 1991-1995 TO BE SUBMITTED TO THE
INLAND TRANSPORT COMMITTEE FOR CONSIDERATION

09.4 Transport operations and facilitation

09.4.6 Harmonization of regulations and standards relating to the
international transport of perishable foodstuffs and
facilitation of transport operations

Description: With a view to facilitating the international transport of perishable foodstuffs, the Committee will consider selected problems, as required, particularly:

- (a) Application of the Agreement on the International Carriage of Perishable Foodstuffs and on the Special Equipment to be used for such Carriage (ATP) and, where appropriate, amendments to be made to ATP;
- (b) Preparation and implementation of resolutions on various aspects of the transport of perishable foodstuffs;
- (c) Consideration of relevant studies carried out by other international organizations;
- (d) Consideration of proposals for facilitating the international transport of perishable foodstuffs and in particular the conditions required to minimize losses of perishable foodstuffs during transport;
- (e) Possibility of collecting statistical data on equipment used for the controlled-temperature carriage of perishable foodstuffs;
- (f) Means of closer co-operation with international organizations, and steps to be taken by Governments to achieve this;
- (g) Requests to Governments to increase support for co-operation in international projects with the aim of improving the harmonization of methods and procedures pertaining to the interpretation of the ATP, especially by supporting the work on comparative testing in the IIR-Sub-Commission of engineers of testing stations.

Work accomplished: Amendments to ATP have been considered and draft resolutions prepared.

Work to be undertaken: The Working Party on the Transport of Perishable Foodstuffs will consider the problems which arise; in particular, it will study test methods and procedures for the approval of equipment with several compartments, the systems used for monitoring temperatures and the methodology for temperature measurement. It will consider, if necessary in co-operation

with the Working Party on Standardization of Perishable Produce and the Working Party on Customs Questions affecting Transport, questions relating to the facilitation of the transport of perishable foodstuffs, with a view to the possible amendment of ATP and the relevant resolutions. It will consider the processes of integration in Europe and their possible effect on the application of ATP among Parties to the Agreement.

Duration: Continuing.
